



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Omura et al. Art Unit : 2661
 Serial No. : 10/003,128 Examiner :
 Filed : 11/14/2001 Conf. No. : 5299
 Title : ROBUST DATA TRANSMISSION USING BROADCAST DIGITAL **RECEIVED**
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Commissioner for Patents
 Washington, D.C. 20231

DEC 05 2002
Technology Center 2600

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97-98

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is a modified form PTO-1449 listing documents for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of documents, or that inclusion of a document in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months from the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

11/29/02

Date of Deposit

[Signature]

Richard A. Dunning, Jr.
 Typed or Printed Name of Person Signing Certificate

- attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
 - attached hereto is the fee set forth under 37 CFR § 1.17 (p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. __ / __, __, filed on _____, and the documents cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

Applicant : Omura
Serial No. : 10/003,128
Filed : 11/14/2001

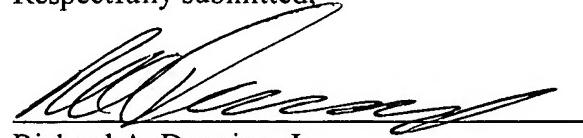
Attorney's Docket No.: RSM013001

Page: 3

- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.
Consideration of the listed documents and favorable action are respectfully requested.

Date: 11/29/02
Law Office of Richard A. Dunning, Jr.
343 Soquel Avenue, Suite 311
Santa Cruz, CA 95062
Telephone: 831.420.0561
Facsimile: 413.541.0092

Respectfully submitted,


Richard A. Dunning, Jr.
Attorney/Agent for Applicant(s)
Reg. No. 42502



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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM		Application Number & Confirmation Number	10/003,128	5299
		Filing Date	11/14/2001	
		First Named Inventor	Omura	
		Group Art Unit	2661	
		Examiner Name		
Total Number of Pages in This Submission		Attorney Docket Number	RSM013001	

ENCLOSURES (check all that apply)

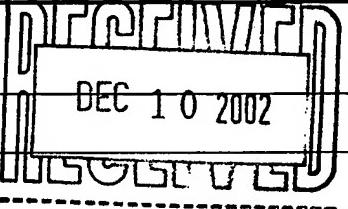
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copies of Cited Documents, Postcard
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)		
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request		
<input checked="" type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard A. Dunning, Jr.	 DEC 10 2002
Signature		
Date	11/29/02	

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Type or printed name	Richard A. Dunning, Jr.	Date	11/29/02
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

ARK OFFICE Substitute for form 1449A/PTO				Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Appl. No. & Conf. No.	10/003,128	5299
				Filing Date	11/14/2001	
				First Named Inventor	Omura et al.	
				Group Art Unit	2661	
				Examiner Name		
Sheet	1	of	1	Attorney Docket Number	RSM013001	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A	6,160,587		Walker et al.	12-12-2000	
	B	6,400,767	B1	Nuber et al.	06-04-2002	
	C	2001/0046262	A1	Freda	11-29-2001	
	D					
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FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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